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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/317,807 05/24/99 KATZ

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EXAMINER

WM01/0123
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WM01, S

ART UNIT

PAPER NUMBER

2643

DATE MAILED:

01/23/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/317,807

Applicant(s)

Katz

Examiner

Stella Woo

Group Art Unit

2643



☒ Responsive to communication(s) filed on Dec 26, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1 and 18-27 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1 and 18-27 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

1. The request filed on December 18, 2000 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/317,807 is acceptable and a CPA has been established. An action on the CPA follows.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 18, 20, 23, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masson et al. (USPN 4,908,850, hereinafter "Masson") in view of Stephenson, Jr. et al. (USPN 3,727,186, hereinafter "Stephenson").

Masson discloses an interface control system (Fig. 2) comprising:

call data means (channel banks 72);

selection means (system selects from a plurality of different applications ranging from simple information dissemination to automatic order entry with credit verification, order entry including operator assistance; col. 2, lines 40-49; col. 5, lines 37-48);

interconnect switch means (digital cross-connect circuit 70; col. 4, lines 47 - col. 5, line 58).

Masson differs from the claims in that although it does teach terminating the call connection when it has been determined that a credit card number is not authorized (col. 10,

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lines 1-68), it does not specify the credit verification process as including testing for negative file data. However, Stephenson teaches that it is old and well known in the credit authorization art to test for negative file data (warning file 30) when determining whether or not a credit card number is authorized (col. 5, lines 22-28; col. 6, lines 30-37) such that it would have been obvious to an artisan of ordinary skill to test for negative file data, as taught by Stephenson, within the system of Masson so that calls providing credit card numbers which have been flagged as invalid can be immediately rejected by the system.

Regarding claim 18, Masson provides for certain of said formats requiring credit authorization (col. 9, line 54 - col. 10, line 29).

Regarding claims 20, 26-27, in Masson, the credit card information is stored in the database for future use with regard to the particular calling terminal (col. 10, lines 29-46). Billing charges are computed and stored (col. 10, line 52+).

4. Claims 1, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the article entitled "The AT&T Multi-Mode Voice systems - Full Spectrum Solutions for Speech Processing Applications" by Hester et al. (hereinafter "Hester") in view of Stephenson.

Hester discloses an interface control system (note Fig. 1) comprising:

call data means (trunk interface circuits receive Touch Tone signals and DNIS (page 2, fourth paragraph - page 3, second paragraph);

selection means (selects from many different services based on DNIS and provides connection to live operators; page 3, second paragraph; page 4, third paragraph, lines 1-3);

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interconnect switch means (voice switch, Fig. 1).

Hester differs from the claims in that although it does teach credit card authorization (page 1, first paragraph, line 5), it does not specify the credit verification process as including testing for negative file data. However, Stephenson teaches that it is old and well known in the credit authorization art to test for negative file data (warning file 30) when determining whether or not a credit card number is authorized (col. 5, lines 22-28; col. 6, lines 30-37) such that it would have been obvious to an artisan of ordinary skill to test for negative file data, as taught by Stephenson, within the system of Hester so that calls providing credit card numbers which have been flagged as invalid can be immediately rejected by the system.

Regarding claim 22, speech files associated with each format are addressed by the dialed number information (Hester; page 3, second paragraph).

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Masson in view of Stephenson, as applied to claim 18, and further in view of Britton et al. (USPN 4,785,408, hereinafter "Britton").

The combination of Masson and Stephenson differs from claim 19 in that it does not specify executing a test based on the time of call. However, Britton teaches the well known use of time conditions such as time of day, day of week, or day of year (col. 6, lines 32-48) for determining how the call is to be handled such that it would have been obvious to an artisan of ordinary skill to incorporate the use of such time-based conditions, as taught by Britton, within

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combination of Masson and Stephenson in order to restrict access to certain applications based on the time of day, day of week, or day of year.

6. Claims 21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Masson and Stephenson, as applied to claims 1 and 18, and further in view of Entenmann et al. (USPN 4,996,705, hereinafter "Entenmann").

The combination of Masson and Stephenson differs from claims 21 and 25 in that it does not specify executing a test based on the demographics of the calling terminal or calling number data. However, Entenmann teaches the well known use of calling telephone number data for restricting caller access based on the caller's locale (col. 2, lines 54-62) such that it would have been obvious to an artisan of ordinary skill to incorporate such use restriction in order to prevent certain calling areas from accessing specified applications, thus, giving the vendor or sponsor greater flexibility in determining how different applications are accessed.

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

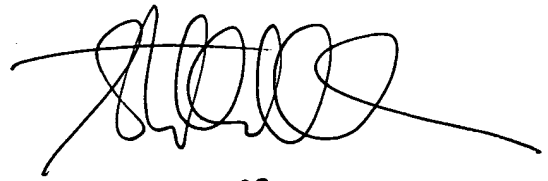
(703) 308-6306 and (703) 308-6296.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella Woo whose telephone number is (703) 305-4395 and can normally be reached from 6:00 a.m. until 2:30 p.m., Monday through Friday.

January 19, 2001



STELLA WOO
PRIMARY EXAMINER